



**THE CORPORATION OF THE  
TOWNSHIP OF LANARK HIGHLANDS**

July 25<sup>th</sup>, 2023

Forbes Symon, Senior Planner

**Cole**

**Consent Application (Lanark County File No. B23/060, B23/061, B23/062)**

**1. LOCATION AND DESCRIPTION**

The subject property is located at Part of Lot 7, Concession 4, geographic Township of Lanark, now in the Township of Lanark Highlands. The property is approximately 1.1 kilometres east of Kerr Lake. The property has frontage on the 5<sup>th</sup> Concession A of Lanark, which is an open and maintained Township Road. The subject property totals approximately 40 ha (100 ac) in size and is currently occupied by a small cabin (See the keymap in Appendix “A”).

**2. PROPOSED CONSENT**

The applicant proposes to sever three (3) new lots from the subject property with the following characteristics:

1. B23/060 – total lot area of 1.02 ha (2.5 ac) and lot frontage of 60.96 m (200 ft) on the 5<sup>th</sup> Con A of Lanark, a Township maintained road. The Lot is vacant and is intended to be a residential building lot, equipped with a septic and well.
2. B23/061 – total lot area of 1.02 ha (2.5 ac) and lot frontage of 60.96 m (200 ft) on the 5<sup>th</sup> Con A of Lanark, a Township maintained road. The Lot is vacant and is intended to be a residential building lot, equipped with a septic and well.
3. B23/062 – total lot area of 1.02 ha (2.5 ac) and lot frontage of 60.96 m (200 ft) on the 5<sup>th</sup> Con A of Lanark, a Township maintained road. The Lot is vacant and is intended to be a residential building lot, equipped with a septic and well.
4. Retained Lot – total lot area of 37.4 ha (92.4 ac) and 425 m (1394 ft) of frontage on the 5<sup>th</sup> Con A of Lanark, a Township maintained road. The lot is occupied by a small cabin and has the potential to be developed as a residential property.

The subject property is characterized as consisting of mixed bushes over much of the land. There is an open field area in the southwest corner of the property. The lands

do not appear to be impacted by any significant natural heritage features or natural hazard features identified on the subject lands. There is a low area in the middle of the property which has potential for organic soils however the proposed severed lots will be well outside of this area and will not impact the proposed development.

### **3. PLANNING ANALYSIS**

#### **3.1 Provincial Policy Statement (PPS) 2020**

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning that provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. As per Section 3(5) (a) of the Planning Act, R.S.O. 1990, all planning decisions must be consistent with the PPS. A review of applicable policies must be undertaken, and the application evaluated under the “consistent with” test.

The subject property is located in a Rural Area within the meaning of the PPS.

*1.1.4.2 In Rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.*

*1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*

*2.1.1 Natural features and areas shall be protected for the long term.*

The lots to be severed are to be developed on private services. The residential use of the lands is permitted in a Rural area. As a result of the application, the lots to be severed and the retained lands will remain compatible with the rural landscape and can be sustained by rural service levels. All lands will have frontage on the Township maintained roads and will be developed on private services.

#### **3.2 Official Plan**

Schedule ‘A’ of the Official Plan designates the subject lands as “Rural Communities”.

*3.3.1.3 In order to maintain and protect the landscape and identity of the Rural Communities, it will be important to avoid inefficient land use patterns such as strip or scattered development, to minimize incompatibility between land uses and to minimize adverse environmental impacts.*

The surrounding lands consist of rough mixed rural lands with scattered rural residential uses. The development does not constitute strip development. The severed and retained lots would remain compatible with surrounding land uses and do not appear to present any adverse environmental impacts.

3.3.3.3 *Up to three (3) consents, excluding the retained lot, may be granted for a lot or land holding existing as of April 1, 2003.*

According to our records, there has been no severance since 2003 on the property and therefore the proposed severances conforms with the Official Plan.

3.3.6.2 *A hydro-geology study shall be required in support of a lot creation application by consent or plan of subdivision where the proposed lot(s) is/are less than 0.8 hectares (1.9 acres), where related applications would create more than 1 new lot, where the new lot would be adjacent to an existing lot or within 50 metres (164 feet) of an existing lot.*

A hydro-geological study is required given the location of the proposed lots.

Application for consent must be evaluated with the policy directives of Section 8.4.2, which provides direction for the division of lands within the Township. The proposed severed and retained lots will conform to the criteria listed in section 8.4.2 provided that the recommended conditions of consent are approved.

### **3.3 Zoning By-law**

Under the Township's Comprehensive Zoning By-law No. 2003-451, the subject property is currently zoned Rural (RU). The RU zone establishes a minimum lot area of 1 ha (2.47 ac) and a minimum lot frontage of 60 m (197 ft). The Rural Zone permits several uses, including single detached dwellings.

The proposed severed and retained lots will comply with the zoning provisions of the Rural (RU) zone.

## **4. COMMENTS**

There were no comments or concerns received at the time of the writing of this report. The Fire Chief indicated no concerns. The Manager of Public Works has requested the standard entrance and civic address conditions be applied. Road widening to be required on 5<sup>th</sup> Con A Lanark as 10.06m from center of travelled road.

## **5. CONCLUSIONS**

Based on the foregoing, it is concluded that the proposed consent is consistent with the PPS and conforms to the Township's Official Plan and Zoning By-Law, provided that the recommended conditions of consent are approved.

### **Attachments:**

Appendix 'A': Key Map

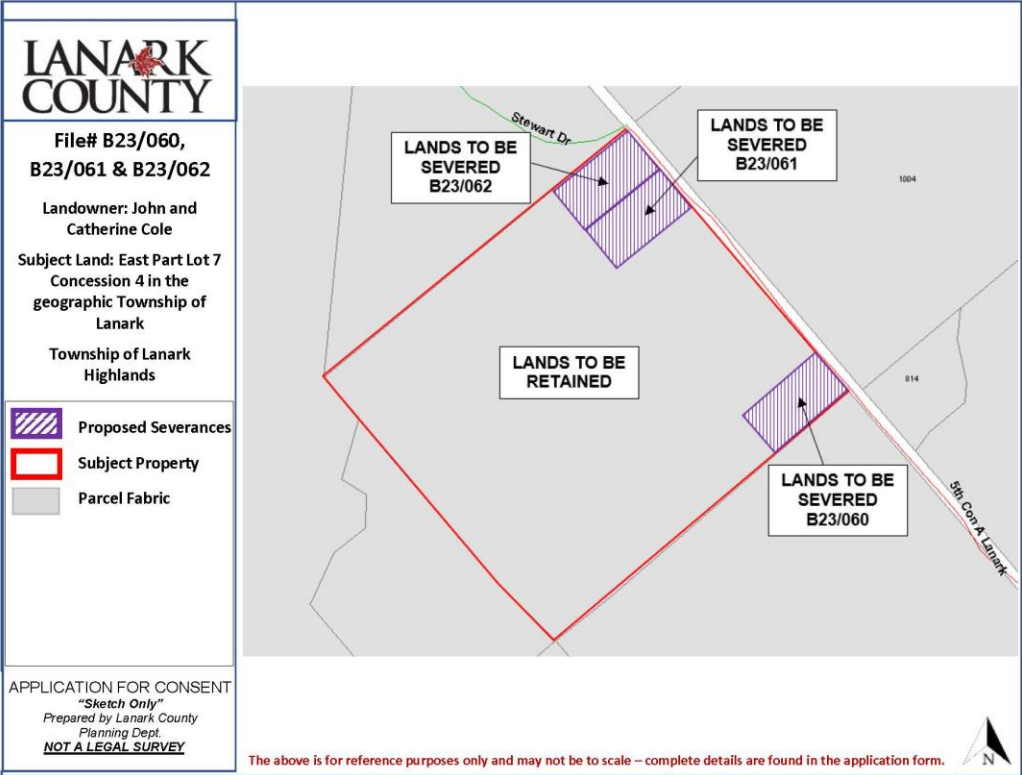
Appendix 'B': Official Plan Schedule

Appendix 'C': Zoning Schedule

## Appendix 'D': Conditions of Consent

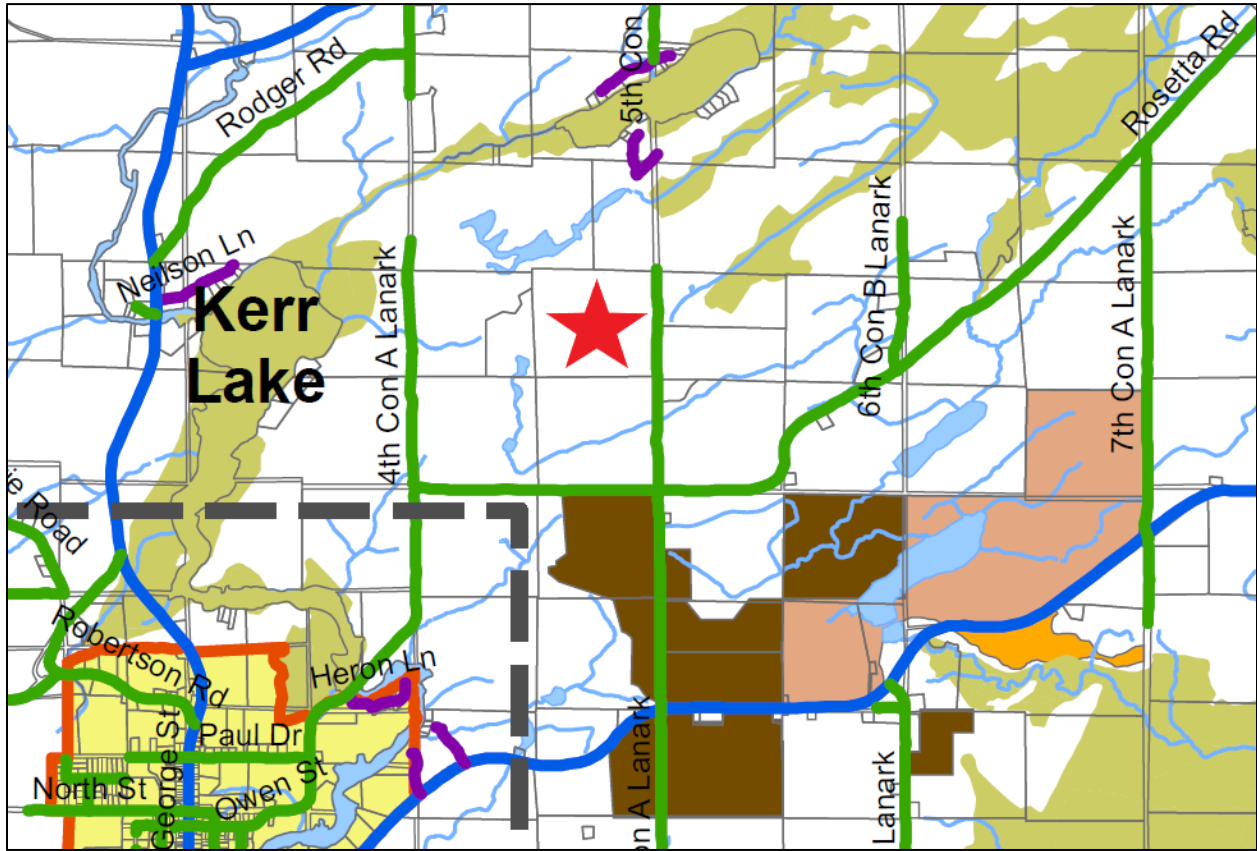
# Appendix A

## Key Map



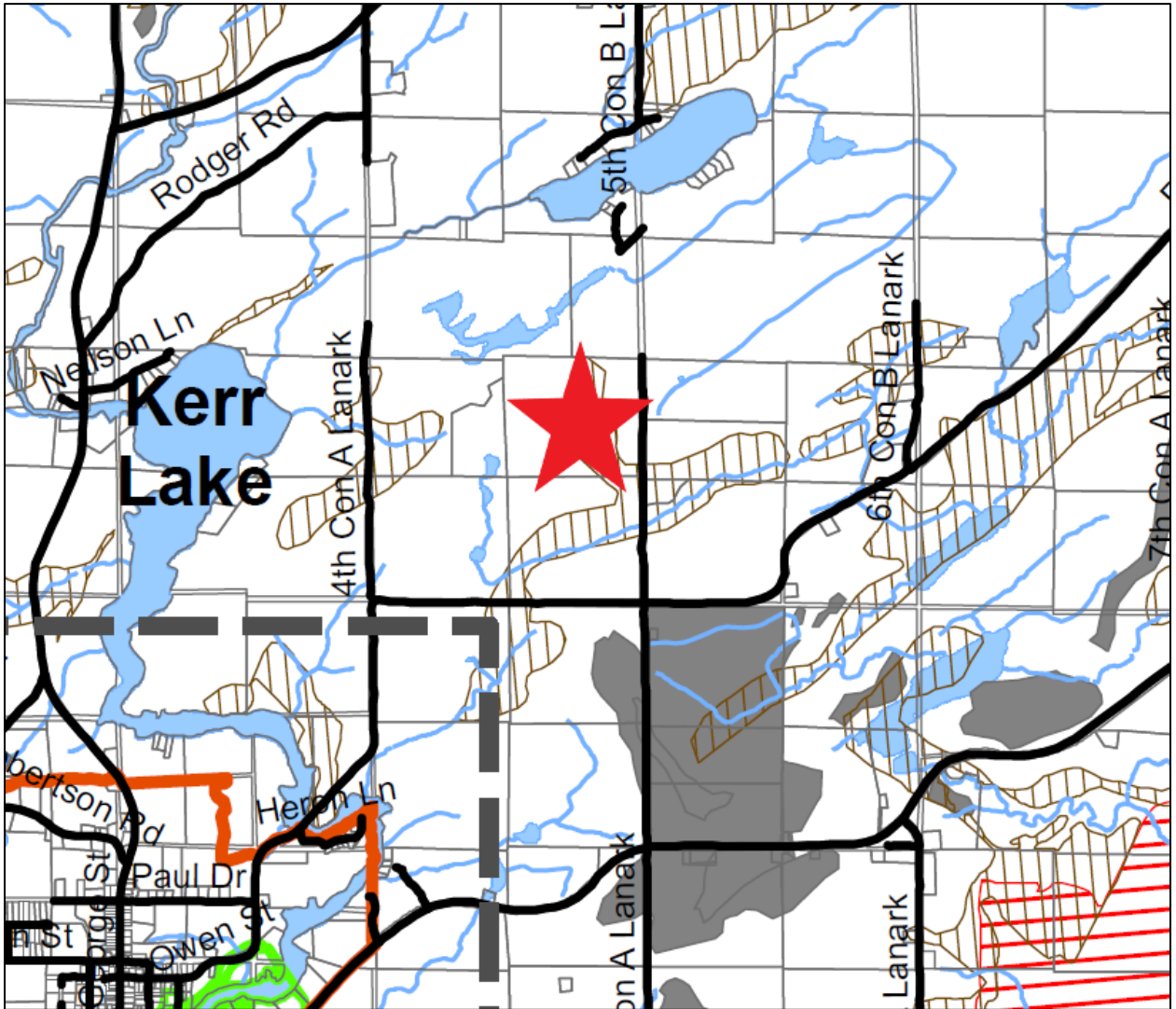
**Appendix B**

**Official Plan Schedule A**



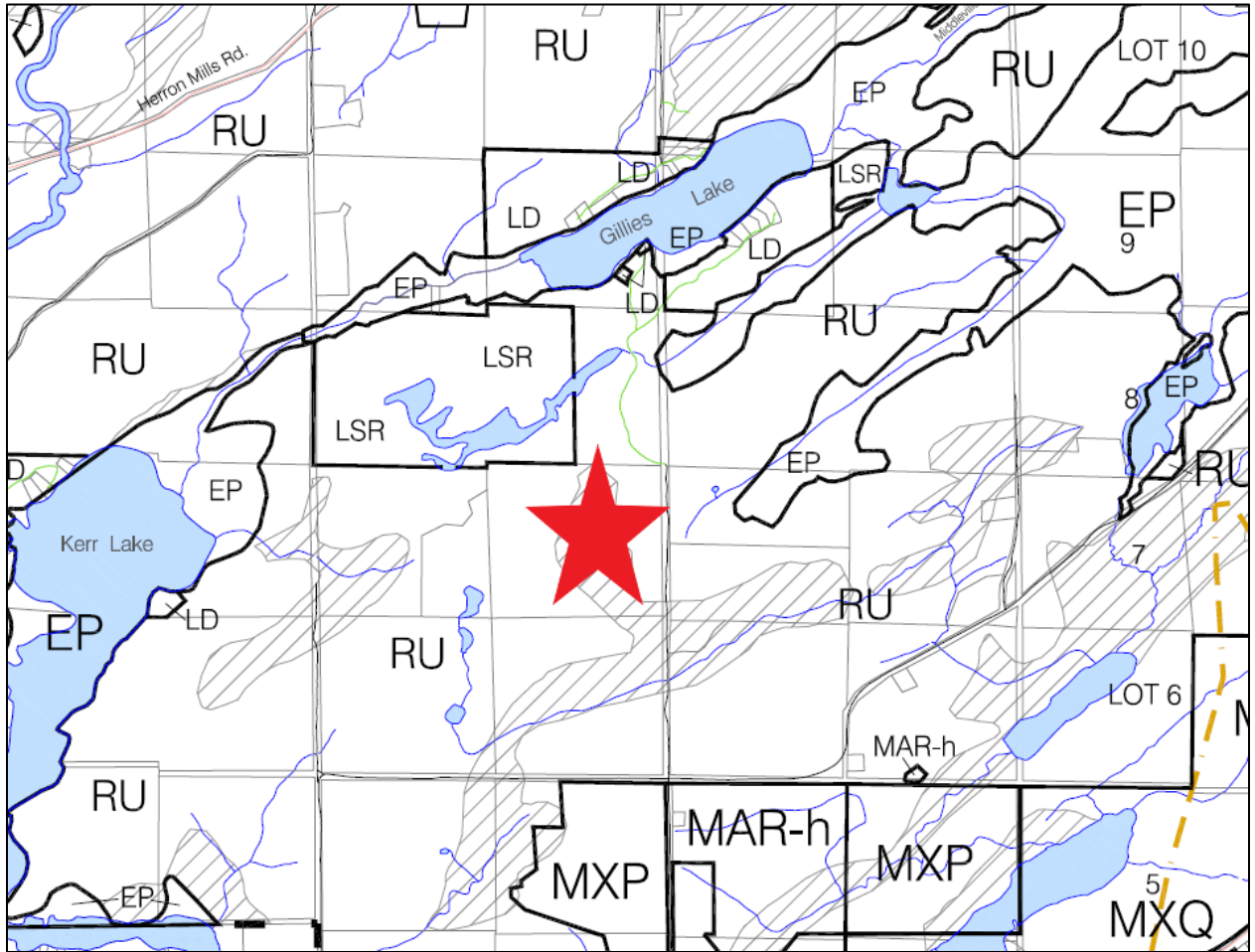
★ Subject Land – Rural Communities designation

**Appendix B  
Official Plan Schedule B**



★ Subject Land

# Appendix C Zoning Schedule



★ Subject Land: Rural



**Appendix D**  
**Conditions of Consent (B23-060, B23-061, B23-062)**

1. *That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.*
2. *That the applicant provide a digital and paper copy of an acceptable draft reference plan or legal description of the severed lands and the draft deed or Instrument conveying the severed land to the Township for review.*
3. *The applicant shall provide the Township with a digital and paper copy of all deposited reference plans associated with this application.*
4. *Payment shall be made to the Township of \$450 per severed lot, representing the amount satisfactory to the Township in accordance with their Cash-in-Lieu of Parklands By-law pursuant to Section 42 of the Planning Act.*
5. *That the applicant pay the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) to the Township.*
6. *That the applicant shall obtain a Civic Address Number from the Township of Lanark Highlands for the retained lot. The applicant shall consult directly with the Township in this regard.*
7. *That the applicant shall confirm that residential entrance to the severed lot is viable and obtain any necessary entrance permits from the Township.*
8. *If required, that the applicant enter into a Development Agreement with the Township of Lanark Highlands, that will be registered on title, to ensure the orderly development of the land.*
9. *The Owner/Applicant shall prepare a "Scoped Hydrogeological Evaluation Report" by a Professional Engineer, or Professional Geoscientist to demonstrate a favourable groundwater quantity assessment, groundwater quality assessment, terrain evaluation and water quality impact risk analysis in accordance with the "Scoped Hydrogeological Report Requirements" guidelines dated July 2, 2015;*
10. *Should the Owner/Applicant not wish to proceed with the Hydrogeological Evaluation Report at this time, that the owner/applicant provide certification to the Lanark County Land Division and the Township of Lanark Highlands that a well has been constructed on the property and that the quality and quantity of the water meets the Ministry of Environment and Climate Change, Regulations, Standards, Guidelines and Objectives. The certification must be prepared by a qualified Professional Engineer, or Professional Geoscientist and it is the Owner /Applicant's responsibility to coordinate the company/person drilling the well and the professional noted herein in order to properly satisfy this condition.*